

**Senate Study Bill 1048 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON COMMERCE BILL BY  
CHAIRPERSON McCOY)

**A BILL FOR**

1 An Act exempting internet protocol-enabled service from the  
2 regulatory authority of the utilities board of the utilities  
3 division of the department of commerce.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 476.1, Code 2013, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 5A. *a.* Notwithstanding any other provision  
4 to the contrary, the board shall not by rule, order, or other  
5 means directly or indirectly regulate the entry, rates, terms,  
6 or conditions for internet protocol-enabled service. For the  
7 purposes of this subsection, "*internet protocol-enabled service*"  
8 means any service, capability, functionality, or application  
9 that uses internet protocol or any successor protocol and  
10 enables an end user to send or receive voice, data, or video  
11 communication in internet protocol format or a successor  
12 format.

13 *b.* This subsection shall not be construed to limit or impact  
14 the enforcement or implementation of such requirements as are  
15 otherwise provided for by federal law or the E911 service  
16 provisions of chapter 34A and the collection or imposition of  
17 E911 surcharges or fees. This subsection shall also not be  
18 construed to modify or affect the application or enforcement  
19 of a law or rule that may apply generally to the conduct of  
20 business in this state, including but not limited to consumer  
21 protection and unfair or deceptive trade practice laws and  
22 rules.

23 EXPLANATION

24 This bill exempts internet protocol-enabled service from  
25 the regulatory authority of the Iowa utilities board. The  
26 bill defines "*internet protocol-enabled service*" to mean any  
27 service, capability, functionality, or application that uses  
28 internet protocol or any successor protocol and enables an end  
29 user to send or receive voice, data, or video communication in  
30 internet protocol format or a successor format.

31 The bill states that, notwithstanding any other provision to  
32 the contrary, the Iowa utilities board may not by rule, order,  
33 or other means directly or indirectly regulate the entry,  
34 rates, terms, or conditions for internet protocol-enabled  
35 service. The bill specifies that this provision shall

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1 not be interpreted to limit or impact the enforcement or  
2 implementation of federal requirements or the E911 service  
3 provisions of Code chapter 34A and the collection or imposition  
4 of E911 surcharges or fees. The bill additionally specifies  
5 that its provisions shall not be interpreted to modify or  
6 affect the application or enforcement of a law or rule that may  
7 apply generally to the conduct of business in Iowa, including  
8 but not limited to consumer protection and unfair or deceptive  
9 trade practice laws and rules.